

FORM 26. Docketing Statement

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July 2020

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

DOCKETING STATEMENT

Case Number: 23-1619

Short Case Caption: ATOS, LLC v. Allstate Insurance Company

Filing Party/Entity: ATOS, LLC

Instructions: Complete each section or check the box if a section is intentionally blank or not applicable. Attach additional pages as needed. Refer to the court's Mediation Guidelines for filing requirements. An amended docketing statement is required for each new appeal or cross-appeal consolidated after first filing.

Case Origin	Originating Number	Type of Case
USPTO, PTAB	IPR2021-01118	Inter Partes Review

Relief sought on appeal: ☐ None/Not Applicable

Reversal of the Board's determination that claims 1–5, 7, 8, 10–16, and 18 of U.S. Patent No. 8,527,140 are unpatentable.

Relief awarded below (if damages, specify): ☐ None/Not Applicable

The Board held that claims 1–5, 7, 8, 10–16, and 18 of the '140 patent are unpatentable.

Briefly describe the judgment/order appealed from:

The Board's Final Written Decision issued on January 9, 2023.

Nature of judgment (select one):

Date of judgment: 1/9/23

☒ Final Judgment, 28 USC § 1295☐ Rule 54(b)☐ Interlocutory Order (specify type) _____☐ Other (explain) _____

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Name and docket number of any related cases pending before this court, and the name of the writing judge if an opinion was issued. ☐ None/Not Applicable

ATOS, LLC v. Allstate Insurance Company, Nos. 23-1620; 23-1621

Issues to be raised on appeal: ☐ None/Not Applicable

The patentability of claims 1–5, 7, 8, 10–16, and 18 of the '140 patent.

Have there been discussions with other parties relating to settlement of this case?

☐ Yes ☒ No

If “yes,” when were the last such discussions?

- ☐ Before the case was filed below
- ☐ During the pendency of the case below
- ☐ Following the judgment/order appealed from

If “yes,” were the settlement discussions mediated? ☐ Yes ☐ No

If they were mediated, by whom?

Do you believe that this case may be amenable to mediation? ☒ Yes ☐ No

Explain.

A settlement conference in related district court proceedings is scheduled for April 11, 2023.

Provide any other information relevant to the inclusion of this case in the court’s mediation program.

N/A

Date: 4/3/23 Signature: s/ Reginald J. Hill

Name: Reginald J. Hill